

REMARKS

Claims 1-20 are pending in this Application. Of these pending claims, Claims 1-20 stand rejected. By way of this paper, Claims 1 and 18 have been amended. The foregoing amendments and following remarks are believed to be fully responsive to the outstanding office action, and are believed to place the Application in condition for allowance.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 11-14, and 16-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the Smith (PG PUB 2003/0172072) reference in view of the Haines (6,295,423) reference; Claims 3-6 and 7-8 and 16-19 stand rejected under 35 U.S.C 103(a) as being unpatentable over Smith (PG PUB. 2003/0172072) in view of Haines (6,295,423) further in view of Martin et al. (5,809,479); and Claims 9, 10, 15, and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (PG PUB. 2003/0172072) in view of Haines (6,295,423) and further in view of Aoyama et al. (PG PUB. 2004/0172341). The Examiner concedes that the Smith reference does not disclose a dormancy feature. This is the important aspect of Applicants' invention in that it provides for placing a parameter selectively in a dormant state to prevent unnecessary ordering of a replacement part associated with such parameter. The Examiner has cited the Haines reference as teaching a threshold-defining mechanism, and has equated such feature with the dormancy feature of Applicants' invention. Further, the Examiner contends that the phrase "enabled to" is not a positive limitation in the claims. By this paper, independent Claims 1 and 18 have been amended in a manner so as to positively recite the dormancy feature. Such "dormancy feature" is patentably distinct from the threshold-defining mechanism in that, as discussed above, that it provides for placing a parameter selectively in a dormant state to prevent unnecessary ordering of a replacement part associated with such parameter irrespective of whether or not a threshold has been reached. Therefore, it is respectfully submitted that independent Claims 1 and 18, as amended, would not be obvious to one of ordinary skill in the art in view of the cited references in any proper combination, or in view of any other prior art known to Applicants. Accordingly, independent Claims 1 and 18, as amended, are respectfully considered to patentably distinguish over the prior art, and should now be allowed.

Furthermore, Claims 2-17, 19, and 20 are dependent upon Claims 1 and 18, and therefore include the patentable limitations thereof. Accordingly, Claims 2-17, 19, and 20 should now similarly be allowed.

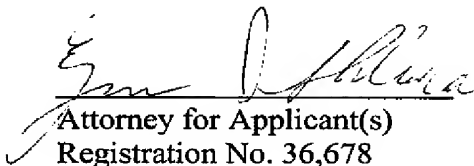
CONCLUSION

Applicants are not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. §1.99.

This Application is now believed to be in condition for favorable reconsideration and early allowance, and such actions are respectfully requested. The Examiner is invited to call the undersigned in the event that a phone interview will expedite prosecution of this application towards allowance.

The Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company, Deposit Account No. 05-0225.

Respectfully submitted,


Attorney for Applicant(s)
Registration No. 36,678

Eugene I. Shkurko/ct
Rochester, NY 14650
Telephone: (585) 253-0123
Facsimile: (585) 477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.